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FEDERAL REGISTER

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OF THE UNITED STATES

Washington, Tuesday, April 19, 1949

TITLE 3—THE PRESIDENT

PROCLAMATION 2835

CHILD HEALTH DAY, 1949

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS the Congress, by joint resolution of May 18, 1928 (45 Stat. 617), has authorized and requested the President to issue annually a proclamation setting apart May 1 as Child Health Day; and

WHEREAS every citizen should do his utmost toward safeguarding and improving the health of the Nation's children:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate May 1, 1949, as Child Health Day; and I invite all agencies, organizations, and citizens interested in the physical and mental well-being of children to consider on that day how best to promote in their own communities during the coming year definite programs of action designed to help our children to grow into healthy and responsible individuals dedicated to the principles of democracy.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 16th day of April in the year of our Lord nineteen hundred and forty-nine, and of the Independence of the United States of America the one hundred and seventy-third.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 49-3102; Filed, Apr. 18, 1949;
11:22 a. m.]

EXECUTIVE ORDER 10051

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE ALIQUIPPA AND SOUTHERN RAILROAD COMPANY AND CERTAIN OF ITS EMPLOYEES

WHEREAS a dispute exists between the Aliquippa and Southern Railroad

Company, a carrier, and certain of its employees represented by the Brotherhood of Railroad Trainmen, a labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce within the State of Pennsylvania to a degree such as to deprive that portion of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160), I hereby create a board of three members, to be appointed by me, to investigate the said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Aliquippa and Southern Railroad Company or its employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,
April 15, 1949.

[F. R. Doc. 49-3085; Filed, Apr. 15, 1949;
5:08 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units

(Continued on next page)

CONTENTS

THE PRESIDENT

Proclamation	Page
Child Health Day, 1949	1863

Executive Order

Aliquippa and Southern Railroad Co.; creation of emergency board to investigate dispute with certain employees	1863
----------------------------------------------------------------------------------------------------------------	------

EXECUTIVE AGENCIES

Agriculture Department

See also Entomology and Plant Quarantine Bureau; Farmers Home Administration.	
Proposed rule making:	
Hay and straw; U. S. Standards	1872

Rules and regulations:

Contract Disputes Board for Commodity Credit Corporation; regulations and policies	1865
------------------------------------------------------------------------------------	------

Alien Property, Office of

Notices:	
Vesting orders, etc.:	
Bevoort, Cornelis	1877
Bianca, Marvaldi, et al	1873
Claussen, Margarethe	1876
Graveure, Louis	1877
Killeen, Edward V	1877
Kohlstock, Anna Luise Blume	1876
Nordisk Insulinlaboratorium	1876
Scott, Gabriel	1877
Steiner, August	1878
Vallery, Eleonore Sohre	1877
Wilhelm Hansen Musik-Forgelag	1877

Commodity Credit Corporation

See Agriculture Department.

Customs Bureau

Notices:	
Coal, coke and briquets; taxable status when imported from certain countries	1873

Entomology and Plant Quarantine Bureau

Rules and regulations:	
Quarantine notices, domestic:	
Barberry, mahonia, and mahoberberis, rust-resistant species and varieties	1866
Beetle, Japanese	1866

Farmers Home Administration

Rules and regulations:	
Loan limitations; values of farms and investment limits (2 documents)	1863, 1864



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1949 Edition

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CONTENTS—Continued

Federal Communications Commission	Page
Rules and regulations:	
Commercial radio operators.....	1872
Radio broadcast services.....	1870
Ship radio service.....	1872
Federal Power Commission	
Notices:	
Virginia Electric and Power Co. et al.; hearing.....	1873

RULES AND REGULATIONS

CONTENTS—Continued

Housing Expediter, Office of	Page
Rules and regulations:	
Rent controlled:	
Housing (2 documents).....	1868
Atlantic County.....	1868
Miami.....	1868
New York City.....	1868
Rooms in rooming houses and other establishments.....	1869
Miami.....	1869
New York City.....	1869

Indian Affairs, Bureau of

Rules and regulations:	
Flathead Indian Irrigation Project, Montana; operation and maintenance charges.....	1869

Interior Department

See Indian Affairs, Bureau of;
Land Management, Bureau of.

Justice Department

See Alien Property, Office of.

Land Management, Bureau of

Rules and regulations:	
Wisconsin; partial revocation of E. O. 8331.....	1870

Securities and Exchange Commission

Notices:	
Hearings, etc.:	
Cities Service Co. and Ohio Public Service Co.....	1873
Columbia Gas System, Inc., and United Fuel Gas Co.....	1876
General Public Utilities Corp.....	1875
Harrisburg Gas Co.....	1875
Illinois Power Co.....	1874
Public Service Coordinated Transport.....	1875
Southern Co. and Mississippi Power Co.....	1874

Treasury Department

See Customs Bureau.

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 3	Page
Chapter I (Proclamations):	
2835.....	1863
Chapter II (Executive orders):	
8331 (revoked in part by PLO 584).....	1870
10051.....	1863
Title 6	
Chapter III:	
Part 311 (2 documents).....	1863, 1864
Chapter IV:	
Part 400.....	1865
Title 7	
Chapter I:	
Part 57 (proposed).....	1872
Chapter III:	
Part 301 (2 documents).....	1866
Title 24	
Chapter VIII:	
Part 825 (8 documents).....	1868, 1869
Title 25	
Chapter I:	
Part 130.....	1869

CODIFICATION GUIDE—Con.

Title 43	Page
Chapter I:	
Appendix (Public land orders):	
584.....	1870
Title 47	
Chapter I:	
Part 3.....	1870
Part 8.....	1872
Part 13.....	1872

and investment limits for the counties identified below are determined to be as herein set forth. The average values and investment limits heretofore established for said counties, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, as reorganized and revised (13 F. R. 9376), are hereby superseded by the average values and investment limits set forth below for said counties.

COLORADO

County	Average value	Investment limit
El Paso.....	\$15,000	\$12,000
Prowers.....	18,000	12,000

(Sec. 41 (i), 60 Stat. 1066; 7 U. S. C. 1015 (i). Applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a), 1018 (b))

Issued this 14th day of April 1949.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 49-2982; Filed, Apr. 18, 1949; 8:47 a. m.]

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, the average value of efficient family-type farm-management units and the investment limit for the county identified below are determined to be as herein set forth. The average value and the investment limit heretofore established for said county, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, as reorganized and revised (13 F. R. 9376), are hereby superseded by the average value and the investment limit set forth below for said county.

NEW YORK

County: Orange. Average value: \$15,000. Investment limit: \$12,000.

(Sec. 41 (i), 60 Stat. 1066; 7 U. S. C. 1015 (i). Applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a) (1018 (b))

Issued this 14th day of April 1949.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 49-2983; Filed, Apr. 18, 1949; 8:47 a. m.]

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter A—General Regulations and Policies

PART 400—RULES OF CONTRACT DISPUTES BOARD FOR COMMODITY CREDIT CORPORATION

Pursuant to the authority contained in sections 4 (j), 4 (k), 9 and 10 of the Commodity Credit Corporation Charter Act (P. L. 806, 80th Cong., 62 Stat. 1070) the following rules of the Contract Disputes Board for Commodity Credit Corporation are hereby issued:

Sec.

- 400.1 General matters.
- 400.2 Manner of taking appeals.
- 400.3 Procedure on appeal.
- 400.4 Presentations before the Board.
- 400.5 Determinations upon appeals.

AUTHORITY: §§ 400.1 to 400.5 issued under secs. 4 (j), 4 (k), 9 and 10, Pub. Law 806, 80th Cong., 62 Stat. 1070.

§ 400.1 *General matters*—(a) *Membership of the Contract Disputes Board.* The Contract Disputes Board for Commodity Credit Corporation was established on April 4, 1946, by the Board of Directors of the Corporation. The Contract Disputes Board is composed of three members, appointed by the Board of Directors of the Corporation, one of whom is designated to act as Chairman, and an alternate member designated to act on any matter for any member of the Contract Disputes Board in the event of his inability for any reason to act thereon.

(b) *Correspondence.* All communications should be directed to the "Secretary, Contract Disputes Board for Commodity Credit Corporation, U. S. Department of Agriculture, Washington, D. C."

(c) *Jurisdiction.* The Contract Disputes Board: (1) Is authorized by the Manager of Commodity Credit Corporation (as "the head of agency" and as the successor to any officer of the Corporation to whom appeals may be taken under contract disputes provisions) and by the Board of Directors of the Corporation to act for the Manager and on behalf of the Corporation, to consider and determine appeals from findings of fact of an officer of the Corporation within the scope of any contract disputes provision which provides a method for final and conclusive determination of disputed questions of fact (including but not limited to article 22 of PMA Form 100, Standard Contract Conditions, and raw material cost adjustment provisions); and (2) is responsible for considering and determining appeals by claimants on all other contract claims against the Corporation where settlement and adjustment cannot otherwise be effected under established policies and procedures. As to claims of this second category, a claimant is not required to appeal to the Contract Disputes Board for the purpose of exhausting his administrative remedy before recourse to courts. The jurisdiction of the Board does not extend to any claims resulting

from the termination of war contracts or claims filed under section 17 of the Contract Settlement Act of 1944.

(d) *Recommendations.* Prior to disposition of any matter by the Contract Disputes Board, it will obtain the recommendation of the Director of the Branch or PMA Commodity Office having jurisdiction over the officer from whose decision the appeal is taken.

(e) *Legal advice from Solicitor's Office.* If any matter involves any doubtful questions of law, the Contract Disputes Board will obtain the advice of the Office of the Solicitor, U. S. Department of Agriculture with respect thereto.

(f) *Procedure.* The provisions of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 5 U. S. C., secs. 1001-1011) are not applicable to proceedings before the Board except those requirements of section 1002 thereof as to publication of descriptions of organization, statements as to channelling of functions, substantive rules and statements of general policy. The Board does not issue opinions. Matters of official record are available in accordance with the regulations of the Department relating to official records which are set forth in 7 CFR §§ 1.1-1.10.

(g) *Set-off.* The Board may take account of claims of Commodity Credit Corporation or of the United States or agencies thereof by way of set-off or counterclaim whether such claims arise from the same transaction or otherwise.

§ 400.2 *Manner of taking appeals*—

(a) *Furnishing copy of rules.* Whenever any dispute which may be appealed to the Contract Disputes Board arises under a contract, the contracting officer or claims officer, upon his own initiative or upon request, will furnish the contractor with a copy of these rules.

(b) *Form and time for appeal.* An appeal from the decision of a contracting officer or claims officer shall be in writing signed by the petitioner, a bona-fide officer or partner thereof, or by counsel, and need not be under oath. An original and four copies of the appeal shall be filed with the Secretary of the Board and must be received by the Board within the time allowed by the contract for appeal. Where no time for appeal is provided in the contract, petitioner may file his appeal at any time prior to the claim being barred under the applicable statutory period of limitation. The filing of an appeal with the Board does not toll any statute of limitation.

(c) *Submission by petitioner.* Each appeal shall clearly identify the decision from which the appeal is taken. The appeal should contain a full statement of the exact nature of the dispute, the specific relief sought by the petitioner, the pertinent facts and reasons in support of the petitioner's contentions. Additional information supporting the appeal may be incorporated in the appeal, or be submitted within thirty days of the filing of such appeal, unless the Board for good cause shown expressly permits otherwise.

(d) *Additional information.* When an appeal is taken from the decision of a contracting officer or claims officer, the Secretary of the Board, upon receipt of such appeal shall call upon the officer

making the decision for information and copies of files related thereto. The Board may at any time call upon any employee of the Department for additional information deemed necessary by it. The Board may also call upon the petitioner for the production of any papers, documents, affidavits, or specific information relevant to the dispute which is in the petitioner's possession, control, or available to it.

§ 400.3 *Procedure on appeal*—(a) *Furnishing copy of appeal to Directors.* Upon the filing of an appeal with the Board, the Secretary of the Board shall furnish a copy thereof to the Director of the Branch or PMA Commodity office having jurisdiction over the officer from whose decision the appeal is taken.

(b) *Procedure under § 400.1 (c) (1).* Where the appeal arises under the authority of a disputes article in a contract as provided for in § 400.1 (c) (1), the Director of the Branch or PMA Commodity office shall furnish to the Board a copy of the officer's determination or decision from which the appeal is taken and if the determination or decision does not so recite, shall also furnish a statement which fully discloses the considerations and facts upon which the decision is based, and may add any comments as to the matter contained in the appeal. The Secretary of the Board shall furnish a copy of such statement to the petitioner who shall have the right to file a reply thereto, if he so desires, within ten days from the date of the transmittal letter of the Secretary of the Board.

(c) *Procedure under § 400.1 (c) (2).* Where the appeal arises under the jurisdiction of the Board under § 400.1 (c) (2), the Director of the Branch or PMA Commodity Office shall furnish such information and material as may be required by the Board for disposition of the appeal. All such information and material supplied in connection with such appeals shall be considered to be confidential files of the Department, and only such information shall be disclosed to the petitioner as he is otherwise entitled to receive or as the Board in its discretion deems necessary in disposition of the appeal.

§ 400.4 *Presentations before the Board*—(a) *Opportunity for oral presentation.* Upon timely written request or upon its own motion, the Board, in its discretion, may afford the petitioner an opportunity to make an oral presentation before it.

(b) *Place of oral presentation.* Such oral presentation, if granted, shall be held in Washington, D. C., unless otherwise directed by the Board.

(c) *Notice of oral presentation.* The petitioner ordinarily will be given at least ten days' notice of the time and place of the meeting for oral presentation.

(d) *Representation before the Board.* The petitioner may appear before the Board in person, may be represented by counsel, or otherwise.

(e) *Manner of presentation of proof.* (1) In such oral presentation, the strict rules of evidence as required in courts of law will not be invoked. The Board will receive matter deemed material and rele-

vant to the issues raised in the appeal but may exclude that which it considers remote or cumulative.

(2) The decision or findings appealed from shall be accepted by the Board as prima facie correct.

(3) Witnesses will be heard before the Board only in connection with such oral presentation; any other matter which the petitioner wishes to submit shall be in written form. In its discretion, the Board may require any matter submitted to it to be put under oath.

(f) *Reporting.* Oral presentations will be stenographically reported and transcriptions thereof shall be made when deemed necessary by the Board. One copy of the transcription will be made available to the petitioner upon request.

§ 400.5 Determination upon appeals.

(a) The Secretary of the Board will advise the petitioner as to the Board's determination upon the appeal.

(b) Where the determination of the Board results in settlement or adjustment of claims by or against the petitioner, the Board will prepare a settlement agreement which will be executed on behalf of the Commodity Credit Corporation by the Secretary of the Board upon direction of the Board.

Done at Washington, D. C., this 13th day of April 1949.

[SEAL] HARRY B. WIRIN,
Chairman, Contract Disputes
Board for Commodity Credit
Corporation.

Approved:

ELMER F. KRUSE,
Manager, Commodity Credit
Corporation.

[F. R. Doc. 49-3002; Filed, Apr. 18, 1949;
8:51 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

[B. E. P. Q. 577]

PART 301—DOMESTIC QUARANTINE NOTICES

ADMINISTRATIVE INSTRUCTIONS DESIGNATING RUST-RESISTANT SPECIES AND VARIETIES OF BARBERRY, MAHONIA, AND MAHOBERBERIS

Pursuant to the authority conferred by § 301.38-5 of the regulations supplemental to Black Stem Rust Quarantine No. 38 (7 CFR § 301.38-5, 14 F. R. 999), the following administrative instructions are hereby issued to designate the rust-resistant species and horticultural varieties of barberries, mahonias, and mahoberberis (1) the plants of which may be moved interstate under permit, and (2) the seeds and fruits of which, if produced in any of the States of Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, may be moved between or from such States only under permit or, wherever produced, may be moved between

States other than those named, without restriction:

§ 301.38-5a *Administrative instructions; designation of rust-resistant barberry, mahonia, and mahoberberis plants.* The following species and horticultural varieties of barberries, mahonias, and mahoberberis are hereby designated as rust-resistant:

Berberis beaniana.
Berberis buxifolia.
Berberis buxifolia nana.
Berberis candidula.
Berberis chenaultii.
Berberis circumscissata.
Berberis coccinea.
Berberis darwinii.
Berberis gagnepainii.
Berberis gilgiana.
Berberis horvathii.
Berberis julianae.
Berberis koreana.
Berberis linearifolia var. Orange King.
Berberis mentorensis.
Berberis potaninii.
Berberis sanguinea.
Berberis sargentiana.
Berberis stenophylla.
Berberis stenophylla diversifolia.
Berberis stenophylla nana compacta.
Berberis thunbergii.
Berberis thunbergii atropurpurea.
Berberis thunbergii erecta.
Berberis thunbergii "globe."
Berberis thunbergii "golden."
Berberis thunbergii maximowiczii.
Berberis thunbergii minor.
Berberis thunbergii pluriflora.
Berberis thunbergii "thornless."
Berberis thunbergii "variegata."
Berberis triacanthophora.
Berberis verruculosa.
Mahonia aquifolium.
Mahonia bealei.
Mahonia dictyota.
Mahonia nervosa.
Mahonia pinnata.
Mahonia repens.

The purpose of these administrative instructions is to relieve commerce by designating the rust-resistant species and horticultural varieties of barberries, mahonias, and mahoberberis which are eligible for interstate movement under permit. In order to be of maximum benefit to the public the designation of these rust-resistant species and varieties of barberries, mahonias, and mahoberberis should be made effective as soon as possible. Since these administrative instructions relieve restrictions, they are within the exception in section 4 (c) of the Administrative Procedure Act and may properly be made effective less than 30 days after their publication in the FEDERAL REGISTER.

Accordingly, these instructions shall become effective on May 1, 1949, when they shall supersede B. E. P. Q. 385, Fourth Revision, effective January 24, 1945 (7 CFR 1945 Supp. § 301.38a), and B. E. P. Q. 385, Fourth Revision, Supplement 1, effective March 15, 1948 (7 CFR § 301.38a, 13 F. R. 1503).

(Sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 8th day of April 1949.

[SEAL] AVERY S. HOYT,
Acting Chief, Bureau of
Entomology and Plant Quarantine.

[F. R. Doc. 49-3003; Filed, Apr. 18, 1949;
8:51 a. m.]

[Quarantine No. 48]

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE QUARANTINE

On March 16, 1949, there was published in the FEDERAL REGISTER (14 F. R. 1176), a notice of proposed rule making to amend the regulations supplemental to Quarantine No. 48 relating to the Japanese beetle (7 CFR §§ 301.48 through 301.48-10; 13 F. R. 2250). After due consideration of all relevant matters presented, including the proposals set forth in the notice, and pursuant to the authority conferred upon me by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), and sections 1 and 3 of the Insect Pest Act of March 3, 1905 (7 U. S. C. 141, 143) §§ 301.48-2, 301.48-4 (a), 301.48-5, 301.48-8, and 301.48-9 are hereby amended to read as follows:

§ 301.48-2 *Regulated areas.* The following States, Districts, counties, townships, cities, towns, boroughs, and magisterial districts or parts thereof, are hereby designated as regulated areas:

Connecticut. The entire State.

Delaware. The entire State.

District of Columbia. The entire District.

Maine. County of York, towns of Auburn and Lewiston, in Androscoggin County, towns of Cape Elizabeth, Gorham, Gray, New Gloucester, Raymond, Scarborough, Standish, and cities of Portland, South Portland, Westbrook, and Windham, in Cumberland County; city of Waterville, in Kennebec County; and city of Brewer, in Penobscot County.

Maryland. The entire State.

Massachusetts. The entire State.

New Hampshire. Counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan; towns of Brookfield, Eaton, Effingham, Freedom, Madison, Moultonboro, Ossipee, Sandwich, Tamworth, Tiltonboro, Wakefield, and Wolfeboro, in Carroll County; towns of Alexandria, Ashland, Bridgewater, Bristol, Canaan, Dorchester, Enfield, Grafton, Groton, Hanover, Hebron, Holderness, Lebanon, Lyme, Orange, and Plymouth, in Grafton County.

New Jersey. The entire State.

New York. Counties of Albany, Bronx, Broome, Chemung, Chenango, Columbia, Cortland, Delaware, Dutchess, Fulton, Greene, Kings, Madison, Montgomery, Nassau, New York, Oneida, Onondaga, Orange, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schoenectady, Schoharie, Suffolk, Sullivan, Tioga, Ulster, Washington, and Westchester; towns of Red House and Salamanca, and cities of Olean and Salamanca, in Cattaraugus County; city of Auburn, and towns of Fleming, Owasco, and Sennett, in Cayuga County; towns of Amherst, Cheektowaga, and Tonawanda, and cities of Buffalo and Lackawanna, in Erie County; towns of Columbia, Danube, Fairfield, Frankfort, German Flats, Herkimer, Litchfield, Little Falls, Manheim, Newport, Salisbury, Schuylar, Stark, Warren, and Winfield, and city of Little Falls, in Herkimer County; town of Watertown and city of Watertown, in Jefferson County; town of Mount Morris and village of Mount Morris, in Livingston County; city of Rochester, towns of Brighton, Irondequoit, and Pittsford, and village of East Rochester, in Monroe County; town of Manchester, in Ontario County; town of Schroepel, and cities of Fulton and Oswego, in Oswego County; towns of Catherine, Cayuta, Dix, Hector, Montour, and Reading, and borough of Watkins Glen, in Schuyler County; town of Waterloo, in Seneca County; towns of Caton, Corning, Erwin, Hornby, and Hornellsville,

and cities of Corning and Hornell, in Steuben County; towns of Caroline, Danby, Dryden, Enfield, Ithaca, Newfield, and city of Ithaca, in Tompkins County; towns of Luzerne and Queensbury and city of Glens Falls, in Warren County.

Ohio. Counties of Belmont, Carroll, Columbiana, Cuyahoga, Guernsey, Harrison, Jefferson, Mahoning, Medina, Portage, Stark, Summit, Tuscarawas, and Wayne; cities of Ashtabula and Conneaut, in Ashtabula County; city of Coshocton, in Coshocton County; township of Marion, city of Columbus and villages of Bexley, Grandview, Grandview Heights, Hanford, Marble Cliff, and Upper Arlington, in Franklin County; townships of Kirtland, Mentor, and Willoughby, and villages of Kirtland Hills, Lakeline, Mentor, Mentor-on-the-Lake, Walte Hill, Wickliffe, Willoughby, and Willowick, in Lake County; townships of Madison and Newark and city of Newark, in Licking County; city of Toledo and township of Washington, in Lucas County; township of Madison and city of Mansfield, in Richland County; townships of Bazetta, Braceville, Brookfield, Champion, Fowler, Hartford, Howland, Hubbard, Liberty, Lordstown, Newton, Southington, Warren, Weathersfield, and Vienna, cities of Niles and Warren, and villages of Cortland, Girard, Hubbard, McDonald, Newton Falls, and Orangeville, in Trumbull County; and city and town of Marietta, in Washington County.

Pennsylvania. The entire State except the townships of Athens, Beaver, Bloomfield, Cambridge, Conneaut, Cussewago, East Fairfield, East Fallowfield, East Mead, Fairfield, Greenwood, Hayfield, North Shenango, Pine, Randolph, Richmond, Rockdale, Sadsbury, South Shenango, Spring, Steuben, Summerhill, Summit, Troy, Union, Venango, Vernon, Wayne, West Fallowfield, West Mead, West Shenango, and Woodcock, and the boroughs of Blooming Valley, Cambridge Springs, Cochran, Conneaut Lake, Conneautville, Lipesville, Saegertown, Springboro, Townville, Venango, and Woodcock, in Crawford County; the townships of Amity, Conneaut, Elk Creek, Fairview, Franklin, Girard, Greene, Greenfield, Harborside, Lawrence Park, Laboeuf, McKean, North East, Springfield, Summit, Union, Venango, Washington, and Waterford, and the boroughs of Albion, Cranesville, East Springfield, Edinboro, Fairview, Girard, Middleboro, Mill Village, North East, North Girard, Platea, Union City, Waterford and Wattsburg, in Erie County; townships of Deer Creek, Delaware, Fairview, French Creek, Greene, Hempfield, Lake, Mill Creek, New Vernon, Otter Creek, Perry, Pymatuning, Salem, Sandy Creek, Sandy Lake, South Pymatuning, Sugar Grove, and West Salem, and boroughs of Clarksburg, Fredonia, Greenville, Jamestown, New Lebanon, Sandy Lake, Sheakleyville, and Stoneboro, in Mercer County.

Rhode Island. The entire State.

Vermont. Counties of Bennington, Rutland, Windham, and Windsor; and town of Burlington, in Chittenden County.

Virginia. Counties of Accomac, Arlington, Brunswick, Caroline, Charles City, Chesterfield, Clarke, Culpeper, Dinwiddie, Elizabeth City, Essex, Fairfax, Frederick, Fauquier, Gloucester, Goochland, Greensville, Hanover, Henrico, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Loudoun, Louisa, Mathews, Middlesex, Nansemond, New Kent, Norfolk, Northampton, Northumberland, Orange, Powhatan, Prince George, Prince William, Princess Anne, Rappahannock, Richmond, Southampton, Spotsylvania, Stafford, Surry, Sussex, Warren, Warwick, Westmoreland, and York; magisterial district of Elon, in Amherst County; magisterial district of Forest, in Bedford County; magisterial district of Brookville, in Campbell County; town of Shenandoah, in Page County; village of Schoolfield, in Pitts-

vania County; town of Pulaski, in Pulaski County; and cities of Alexandria, Charlottesville, Danville, Fredericksburg, Hampton, Hopewell, Lynchburg, Newport News, Norfolk, Petersburg, Portsmouth, Radford, Richmond, Roanoke, South Norfolk, Suffolk, Williamsburg, and Winchester.

West Virginia. Counties of Barbour, Berkeley, Brooke, Hancock, Harrison, Jefferson, Lewis, Marion, Mineral, Monongalia, Morgan, Ohio, Preston, Taylor, Tucker, and Upshur; magisterial districts of Blue Sulphur and Fort Spring, in Greenbrier County; magisterial districts of Charleston, Elk, Loudon, and Malden, city of Charleston, and town of South Charleston, in Kanawha County; magisterial districts of Sand Hill, Union, Washington and Webster, in Marshall County; city of Princeton, in Mercer County; magisterial district of Wolf Creek, in Monroe County; city of Hinton and magisterial districts of Greenbrier and Talcott, in Summers County; magisterial district of Lincoln, in Tyler County; town of Peden City, in Tyler and Wetzel Counties; cities of Parkersburg and Williamstown and magisterial districts of Lubeck, Parkersburg, Tygard, and Williams, in Wood County.

§ 301.48-4 Conditions governing movement of regulated articles—(a)

Certification. Articles designated in § 301.48-3 may be moved either on direct billing, diversion or reconsignment from a regulated area to or through any point outside thereof only after a certificate or limited permit has been issued therefor in compliance with § 301.48-5, except as follows:

(1) A certificate or limited permit will not be required for the movement of regulated articles when transported via mail or by a common carrier on a through bill of lading from a regulated area through a nonregulated area to another regulated area.

(2) A certificate or limited permit will be required for the movement of any or all of the articles described in § 301.48-3 (b), (3) and (4) only when an inspector's observations in regulated areas disclose either that adult beetles have emerged in large numbers and are actively flying in such quantities that they may infest shipments of these articles to be moved from such areas to nonregulated points, or that such emergence and flight are imminent. Common carriers, shippers, and other interested persons will be informed in advance by appropriate notice of the areas in which these conditions exist, the articles affected, the dates of the imminence or beginning and cessation of adult flights during which certificates or limited permits will be required, and the places where inspections will be made and certificates and permits issued.

§ 301.48-5 Conditions governing the issuance of certificates and permits—(a) **Certification of regulated articles.** Certificates may be issued for the movement of the regulated articles under any one of the following conditions:

(1) When, in the judgment of the inspector, they have not been exposed to infestation.

(2) When they have been examined by an inspector and found to be free of infestation.

(3) When they have been treated under the observation of an inspector

and in accordance with methods selected by him from administratively authorized procedures known to be effective under the conditions applied.

(b) **Safeguards against reinfestation.** Subsequent to certification, as provided in paragraph (a) of this section, the regulated articles must be loaded, handled, and shipped under such protection and safeguards against reinfestation as are required by the inspector.

(c) **Limited permits.** Limited permits may be issued by the inspector for the movement of noncertified regulated articles to specified destinations for limited handling, utilization, or processing. Persons shipping, transporting, or receiving such articles may be required by the inspector to enter into written agreements with the Bureau of Entomology and Plant Quarantine to maintain such sanitation safeguards against the establishment and spread of infestation and to comply with such conditions as to the maintenance of identity, handling, or subsequent movement of regulated products and to the cleaning of cars, aircraft, trucks, and other vehicles used in the transportation of such articles as may be required by the inspector.

§ 301.48-8 **Cleaning or treatment of trucks, wagons, cars, aircraft, boats, and other vehicles and containers.** When in the judgment of the inspector a hazard of spread of infestation is presented, thorough cleaning or treatment of trucks, wagons, cars, aircraft, boats, and other vehicles or other means of transportation, and containers may be required by the inspector before movement to points outside of the regulated areas.

§ 301.48-9 **Inspection in transit.** Any car, aircraft, vehicle, or container of any kind moved interstate or offered for shipment interstate, which contains or which the inspector has probable cause to believe contains either infestations, infested articles, or articles the movement of which is controlled by the regulations in this subpart shall be subject to inspection by an inspector at any time or place, and when actually found to involve danger of dissemination of Japanese beetles to noninfested localities, measures to eliminate infestation may be required by the inspector as a condition of further transportation or delivery.

(Secs. 1, 3, 33 Stat. 1269, 1270, sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 141, 143, 161)

These amendments shall be effective April 18, 1949.

The primary purpose of these amendments is to add new territory to the regulated areas. Prompt action on this change is necessary in order to control the movement of articles therefrom which might spread the Japanese beetle. It is also imperative that the amendments changing the procedure for inaugurating the fruit and vegetable certification requirements, and adding aircraft to the types of vehicles regulated, be made effective at once in order to permit adequate advance notice to shippers and common carriers involved. Therefore, good cause is found, in accordance with section 4 (c) of the Administrative

Procedure Act (5 U. S. C. 1003 (c)), for making the foregoing amendments effective less than 30 days after their publication.

Done at Washington, D. C., this 14th day of April 1949. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 49-2980; Filed, Apr. 18, 1949;
8:47 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg.,¹ Corr.]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is corrected in the following respect:

Schedule B, Item 46, incorporated into the Regulation by Amendment 80 is corrected by changing the second proviso clause to read as follows: "Provided further, That where housing accommodations are or were covered by a statutory lease, as defined in § 825.4 (b), the increase hereby authorized shall not apply until after the termination of such lease, and after such termination the maximum rent shall be determined by the provisions of § 825.4 (b) (2)."

This correction shall become effective as of April 6, 1949.

Issued this 14th day of April 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-2986; Filed, Apr. 18, 1949;
8:48 a. m.]

[Controlled Housing Rent Reg.,² Amdt. 85]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respect:

Section 825.6 (h) (2) is amended to read as follows:

(2) The provisions of this section shall not apply to any case in which judgment was entered prior to April 1, 1949 by a court of competent jurisdiction for the

¹ 13 F. R. 5706, 5788, 5877, 5937, 6246, 6283, 6411, 6556, 6881, 6910, 7299, 7671, 7801, 7862, 8217, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456, 627, 632, 695, 856, 918, 979, 1005, 1083, 1345, 1394, 1519, 1570, 1571, 1587, 1666, 1667.

² 13 F. R. 5706, 5788, 5877, 5937, 6246, 6283, 6411, 6556, 6881, 6910, 7299, 7671, 7801, 7862, 8217, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456, 627, 632, 695, 856, 918, 979, 1005, 1083, 1345, 1394, 1519, 1570, 1571, 1587, 1666, 1667, 1733, 1760.

eviction or removal of a tenant from housing accommodations: *Provided, however, That the provisions of this section shall apply unless said judgment was obtained in accordance with the provisions of the Housing and Rent Act of 1947, as amended by the Housing and Rent Act of 1948.*

(Sec. 209, 61 Stat. 197, as amended by 62 Stat. 37, by 62 Stat. 94 and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1899)

This amendment shall become effective April 15, 1949.

Issued this 15th day of April 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-3053; Filed, Apr. 15, 1949;
3:48 p. m.]

[Controlled Housing Rent Reg., New York
City Defense-Rental Area,¹ Amdt. 13]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION FOR NEW YORK CITY DEFENSE-RENTAL AREA

The Controlled Housing Rent Regulation for the New York City Defense-Rental Area (§§ 825.21 to 825.32) is amended in the following respect:

Section 825.26 (h) (2) is amended to read as follows:

(2) The provisions of this section shall not apply to any case in which judgment was entered prior to April 1, 1949 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations: *Provided, however, That the provisions of this section shall apply unless said judgment was obtained in accordance with the provisions of the Housing and Rent Act of 1947, as amended by the Housing and Rent Act of 1948.*

(Sec. 209, 61 Stat. 197, as amended by 62 Stat. 37, by 62 Stat. 94 and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1899)

This amendment shall become effective April 15, 1949.

Issued this 15th day of April 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-3054; Filed, Apr. 15, 1949;
3:48 p. m.]

[Controlled Housing Rent Reg., Miami
Defense-Housing Area,² Amdt. 16]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION FOR MIAMI DEFENSE-RENTAL AREA

The Controlled Housing Rent Regulation for Miami Defense-Rental Area

¹ 13 F. R. 5727, 8388; 14 F. R. 18, 93, 144, 1395, 1574.

² 13 F. R. 5735, 6246, 8389; 14 F. R. 20, 93, 145, 978, 1395, 1588.

(§§ 825.41 to 825.52) is amended in the following respect:

Section 825.46 (h) (2) is amended to read as follows:

(2) The provisions of this section shall not apply to any case in which judgment was entered prior to April 1, 1949 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations: *Provided, however, That the provisions of this section shall apply unless said judgment was obtained in accordance with the provisions of the Housing and Rent Act of 1947, as amended by the Housing and Rent Act of 1948.*

(Sec. 209, 61 Stat. 197, as amended by 62 Stat. 37, by 62 Stat. 94 and by Pub. Law, 81st Cong.; 50 U. S. C. App. 1899)

This amendment shall become effective April 15, 1949.

Issued this 15th day of April 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-3056; Filed, Apr. 15, 1949;
3:48 p. m.]

[Controlled Housing Rent Reg., Atlantic
County Defense-Rental Area,¹ Amdt. 13]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION FOR ATLANTIC COUNTY DEFENSE-RENTAL AREA

The Controlled Housing Rent Regulation for Atlantic County Defense-Rental Area (§§ 825.61 to 825.71) is amended in the following respect:

Section 825.66 (h) (2) is amended to read as follows:

(2) The provisions of this section shall not apply to any case in which judgment was entered prior to April 1, 1949 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations: *Provided, however, That the provisions of this section shall apply unless said judgment was obtained in accordance with the provisions of the Housing and Rent Act of 1947, as amended by the Housing and Rent Act of 1948.*

(Sec. 209, 61 Stat. 197, as amended by 62 Stat. 37, by 62 Stat. 94 and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1899.)

This amendment shall become effective April 15, 1949.

Issued this 15th day of April 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-3055; Filed, Apr. 15, 1949;
3:48 p. m.]

¹ 13 F. R. 5743, 8390; 14 F. R. 19, 94, 145, 1395, 1577.

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg.,¹ Amdt. 80]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is amended in the following respect:

Section 825.86 (g) (2) is amended to read as follows:

(2) The provisions of this section shall not apply to any case in which judgment was entered prior to April 1, 1949 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations: *Provided, however*, That the provisions of this section shall apply unless said judgment was obtained in accordance with the provisions of the Housing and Rent Act of 1947, as amended by the Housing and Rent Act of 1948.

(Sec. 209, 61 Stat. 197, as amended by 62 Stat. 37, by 62 Stat. 94 and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1899)

This amendment shall become effective April 15, 1949.

Issued this 15th day of April 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-3057; Filed, Apr. 15, 1949; 3:49 p. m.]

[Controlled Rooms in Rooming Houses and Other Establishments, Rent Reg., New York City Defense-Rental Area,² Amdt. 10]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS IN NEW YORK CITY DEFENSE-RENTAL AREA

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments in the New York City Defense-Rental Area (§§ 825.101 to 825.112) is amended in the following respect:

Section 825.106 (g) (2) is amended to read as follows:

(2) The provisions of this section shall not apply to any case in which judgment was entered prior to April 1, 1949 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations: *Provided, however*, That the provisions of this section shall apply unless said judgment was obtained in accordance with the provisions of the Housing and Rent Act of 1947, as amended by the Housing and Rent Act of 1948.

¹ 13 F. R. 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8219, 8328, 8388; 14 F. R. 18, 272, 337, 457, 627, 682, 695, 857, 918, 978, 1083, 1345, 1520, 1570, 1582, 1587, 1669, 1670, 1734, 1759.

² 13 F. R. 5770, 8391; 14 F. R. 19, 1580.

(Sec. 209, 61 Stat. 197, as amended by 62 Stat. 37, by 62 Stat. 94 and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1899)

This amendment shall become effective April 15, 1949.

Issued this 15th day of April 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-3058; Filed, Apr. 15, 1949; 3:49 p. m.]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Miami Defense-Rental Area,¹ Amdt. 12]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS IN MIAMI DEFENSE-RENTAL AREA

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments in Miami Defense-Rental Area (§§ 825.121 to 825.132) is amended in the following respect:

Section 825.126 (g) (2) is amended to read as follows:

(2) The provisions of this section shall not apply to any case in which judgment was entered prior to April 1, 1949 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations: *Provided, however*, That the provisions of this section shall apply unless said judgment was obtained in accordance with the provisions of the Housing and Rent Act of 1947, as amended by the Housing and Rent Act of 1948.

(Sec. 209, 61 Stat. 197, as amended by 62 Stat. 37, by 62 Stat. 94 and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1899)

This amendment shall become effective April 15, 1949.

Issued this 15th day of April 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-3059; Filed, Apr. 15, 1949; 3:49 p. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter I—Irrigation Projects, Operation and Maintenance

PART 130—OPERATION AND MAINTENANCE CHARGES

FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

APRIL 11, 1949.

On March 2, 1949, there was published in the daily issue of the FEDERAL REGISTER notice of intention to amend §§ 130.16 and 130.17 of Title 25, Code of Federal Regulations, dealing with irrigable lands of the Flathead Indian Irrigation Project

¹ 13 F. R., 5777, 8392; 14 F. R. 20, 978, 1584.

not subject to the jurisdiction of the several irrigation districts.

Interested persons were thereby given opportunity to participate in preparing the amendments by submitting data or written arguments within 30 days from date of publication of the notice. No objections were submitted. Accordingly, §§ 130.16 and 130.17, *Charges*, are amended as follows to be effective for the season of 1949 and thereafter until further order.

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11, 1946 (Pub. Law 404, 79th Cong., 60 Stat. 238) and authority contained in the acts of Congress approved August 1, 1914; May 18, 1916 and March 7, 1928 (38 Stat. 583, 25 U. S. C. 385; 39 Stat. 1942; and 45 Stat. 210, 25 U. S. C. 387), and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs September 11, 1916 (11 F. R. 10279), and by virtue of authority delegated by the Commissioner of Indian Affairs to the Regional Director September 14, 1946, §§ 130.16 and 130.17 are amended as follows:

Charges applicable to all irrigable lands in the Flathead Irrigation Project but which are not included in the various Irrigation District Organizations.

§ 130.16 *Charge, Jocko Division.* An annual minimum charge of \$2.31 per acre shall be made against all assessable irrigable lands not included in the Irrigation District within the Jocko Division to which water can be delivered, regardless of whether water is used.

The minimum charge when paid shall be credited on the delivery of water at the following acre-foot rates:

(a) For assessable irrigable lands receiving water from the Lower Jocko and Revals Creek laterals, water will be delivered in amounts equal to one acre-foot per acre for the entire assessable area of the farm unit, allotment, or tract, at the rate of one dollar (\$1.00) per acre-foot, and additional water will be delivered at the rate of fifty cents (50¢) per acre-foot.

(b) For assessable irrigable lands in the Upper Jocko area receiving water from Finley, East Finley, Agency, and Big Knife Creeks, water will be delivered at the rate of seventy-five cents (75¢) per acre-foot at any time during the irrigation season.

(c) For assessable irrigable lands in the Upper Jocko area receiving water from the Jocko River through the Jocko K Lateral system, water will be delivered at the rate of fifty cents (50¢) per acre-foot at any time during the irrigation season.

§ 130.17 *Charges, Mission Valley and Camas Divisions.* A minimum charge of \$1.95 per acre shall be made against all assessable irrigable land not included in the Irrigation District Organizations within these two divisions to which water can be delivered, regardless of whether water is used. This charge shall entitle the farm unit, allotment or tract of land to receive one and one-half (1½) acre-feet of water per assessable irrigable acre or, in case of shortage, the proportionate share of the available supply. For water delivered in excess of one and one-half

(1½) acre-feet per assessable irrigable acre there shall be an additional charge of one dollar (\$1.00) per acre-foot.

(Secs. 1, 3, 36 Stat. 270, 272, as amended, 45 Stat. 210; 25 U. S. C. 385, 387)

The foregoing amendments of §§ 130.16 and 130.17 of the non-district operation and maintenance assessment rate order for the season of 1948 are to become effective for the irrigation season of 1949 and continue in effect thereafter until further notice. All other provisions of the 1948 order shall continue in effect for the 1949 irrigation season and thereafter until further notice.

Amendment to order dated May 4, 1948 (13 F. R. 2581) signed by Paul L. Fickinger, Regional Director, Region No. 2.

PAUL L. FICKINGER,
Regional Director, Region No. 2.

[F. R. Doc. 49-2985; Filed, Apr. 18, 1949;
8:47 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders [Public Land Order 584]

WISCONSIN

PARTIALLY REVOKING EXECUTIVE ORDER NO. 8331 OF JANUARY 24, 1940

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 8331 of January 24, 1940, reserving certain lands as a part of the Upper Mississippi River Wildlife and Fish Refuge, is hereby revoked so far as it affects the following described lands:

FOURTH PRINCIPAL MERIDIAN

Lock and Dam No. 5

T. 21 N., R. 13 W.

Part of Tract No. B-313

All that part of the north 800 feet of Government lot 8, sec. 13, lying west of the westerly right-of-way line of the Chicago, Burlington and Quincy Railroad:

Excepting therefrom that portion described as follows:

Beginning at the northwest corner of said Lot 8,

Thence East along the north line of said Lot 8, 70.0 feet;

S. 51° 56' E., 162.4 feet;

N. 79° 45' E., 102.8 feet;

N. 43° 33' E., 117.4 feet, more or less, to a point on the north line of said Lot 8, 380.0 feet east of the northwest corner thereof;

East along the north line of said lot 8, 560.0 feet, more or less, to the intersection with the westerly right-of-way line of the Chicago, Burlington and Quincy Railroad;

Southeasterly along the westerly right-of-way line of said railroad 466.0 feet;

S. 82° 11' W., 51.5 feet;

S. 31° 19' W., 140.5 feet;

West 77.0 feet;

N. 9° 03' W., 273.4 feet;

N. 81° 02' W., 480.9 feet;

N. 69° 44' W., 277.1 feet, more or less, to a point on the west line of said Lot 8, 140.0 feet south of the northwest corner thereof;

North along the west line of said Lot 8, 140.0 feet to the point of beginning.

The area described contains 6.75 acres, more or less.

Tract No. B-316

All of Government Lot 1 sec. 14, containing 1.52 acres, more or less.

Tract No. B-318

All of Government Lot 2, sec. 11, containing 1.73 acres, more or less.

As shown on War Department Map entitled "Mississippi River, 9-Foot Project, Lock and Dam No. 5 (Fountain City) Land and Flowage Rights" 99 Mis 112.

Lock and Dam No. 8

T. 14 N., R. 7 W.

Part of Tract V-153A

That portion of the NE¼SW¼ sec. 28, described as follows:

Commencing, for the purpose of locating the point of beginning, at a point on the South line of said NE¼SW¼, 342 feet East of the SW corner thereof, said point being marked by Monument No. 34; thence

N. 16° 18' E., 495.1 feet to Monument No. 223 marking the point of beginning of tract to be described:

Thence continuing

N. 16° 18' E., 286.3 feet to Monument No. 33;

S. 49° 06' E., 304.7 feet to Monument No. 32;

S. 76° 22' W., 319.65 feet, more or less, to the point of beginning, containing 0.94 of an acre, more or less.

As shown on War Department Map entitled "Upper Mississippi River, Lock and Dam No. 8 (Genoa) Land and Flowage Rights," 99 Mis 109.

MASTIN G. WHITE,
Acting Assistant Secretary
of the Interior.

APRIL 12, 1949.

[F. R. Doc. 49-2971; Filed, Apr. 18, 1949;
8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 9154]

PART 3—RADIO BROADCAST SERVICES

STANDARDS OF GOOD ENGINEERING PRACTICE CONCERNING STANDARD BROADCAST STATIONS

On October 1, 1948, the Commission released a notice of proposed rule making (adopted September 30, 1948) in Docket No. 9154 looking toward amendment of the Standards of Good Engineering Practice Concerning Standard Broadcast Stations. It was proposed to change the title of Annex I to "Groundwave Signals" and delete paragraph 4 of Annex I and substitute therefor a different method of computing distances to groundwave field intensity contours.

The period in which interested parties were afforded an opportunity to submit comments expired November 10, 1948. During that period the Commission received statements from four consulting radio engineers: John Creutz, A. Earl Cullum, Jr., Charles Dorris, and Archer S. Taylor. Each supported adoption of the proposed change in the Standards. John Creutz, however, felt it important

that there be certain additions to the text. These suggestions and a discussion thereof follow. Mr. Creutz suggests the following language be added to the text:

(a) The present state of the radio art does not provide an accurate or theoretically justified method of calculating propagation over a path of more than one conductivity. It is felt the above method will generally err on the safe side in considering problems of groundwave interference.

The proposed method of calculating groundwave signal intensity is not based on a rigorous mathematical formula, but is, however, a simple formula which will give a solution to the problem with an acceptable degree of accuracy. With full knowledge of its shortcomings it is believed that the proposed rule will be a satisfactory administrative tool. Accordingly a statement regarding the results obtainable by the proposed method has been included in the text considered for adoption as follows:

Reasonably accurate results may be expected in determining field intensities at a distance from the antenna by application of the equivalent distance method when the unattenuated field of the antenna, the various ground conductivities, and the locations of discontinuities are known.

However, the Commission cannot conclude from data observed that the "method will generally err on the safe side" nor are data submitted by Mr. Creutz to support the contention. A further addition to the proposed rule suggested by Mr. Creutz is as follows:

(b) This method is not applicable when it is desired to determine the conductivity at a distance from a transmitter by the use of measured data.

and

The Kirke method is not to be used when the exact shape of the propagation curve at the discontinuity is critical, as in the case of fitting measured data to computed curves in determining the effective field of a transmitting antenna.

Although the proposed change in the Standards gives the purpose for which the method is intended as that of determining distance to field intensity contours, it now appears desirable to stress the point that the method is not intended for use in analyzing measured data for the determination of unattenuated field and ground conductivity. A change along these lines has been included in the text considered for adoption as follows:

The technique is not intended to be used as a means of evaluating unattenuated field or ground conductivity by the analysis of measured data. The technique to be used for such determinations is given in section 2 of these Standards.

Mr. Creutz also suggested the following language be added to the proposed text:

(c) In all cases it will be realized that the Kirke Method is an approximation, and that observed propagation data need not be expected to support calculations as described above.

This statement is largely in effect a reiteration of what is already in the Standards and need not be included again.

The Standards specifically provide that "actual measurements will take precedence over theoretical values provided such measurements are properly taken and presented."

Since the expiration of the time allowed for filing, several additional comments have been received by the Commission. Two of the comments were in the nature of statements supporting adoption of the proposed method of calculation. These were from Guy C. Hutcheson and Dixie B. McKey, consulting radio engineers. A third statement from A. D. Ring, Secretary of the Association of Federal Communications Consulting Engineers, contained a list of replies to eight questions making up a questionnaire relating to methods of groundwave field intensity calculation which was circulated among consulting radio engineers. Of the thirteen consultants responding to Question #1: "Do you think the Kirke method is an improvement of the presently specified db method?", ten answered in the affirmative, two thought it was debatable, and one had no opinion. Question #2: "Do you recommend it should be adopted now or held for further comments and study?", resulted in an even division of opinion, six for adoption, six for further study, and one recommended its use only as a guide. In response to Question #8: "Do you have a method other than the above for determining these contours and if so explain fully; for example, there has been a suggestion that the db or Kirke method be applied in both directions, the computed field intensity being the geometric mean of the two results.", ten consultants had no other method of computation, one had a method which required measured data, and one suggested a "60%" method when going from a given conductivity to conductivity of lower value (there were twelve replies to this question). Answers to the remaining five questions were dependent in general upon those given above or related to reciprocity in groundwave transmission.

Subsequent to November 15, 1948, a report entitled "Reciprocity Method" was furnished the Commission by Frank H. McIntosh, Consulting Radio Engineer. The method of predicting groundwave field intensities over paths of varying conductivity embodied in the report derives by graphical means what is termed an average conductivity to any point of interest along a path and the signal at any point is predicted upon the use of the derived conductivity, the radiated power and the Commission curves for a homogeneous earth of that conductivity. Without passing upon the merits of the system it must be considered that at this time it has not had the widespread application and consideration among engineers that the equivalent distance method has enjoyed. Furthermore, engineers are in disagreement regarding the applicability of reciprocity in groundwave transmission.

The notice of proposed rule making ascribed the method of computing groundwave field intensity contours, where the transmitted signal traverses a

path over which different ground conductivities exist, to H. L. Kirke. It now appears desirable to refer to this method as the "equivalent distance method" for the reason that the name is descriptive of the method.

From consideration of the statements filed with the Commission and on the basis of its own studies, it now appears proper to make final the adoption of the amendment to the Standards described in the notice of proposed rule making, adopted September 30, 1948, with certain changes which do not alter the method of computation. The changes made in the text set out in the Public Notice are as follows:

1. Footnote 14 has been deleted.

2. "Equivalent distance" has been substituted for the word "Kirke" throughout the text.

3. After the first sentence in the first paragraph there has been added a new sentence: "Reasonably accurate results may be expected in determining field intensities at a distance from the antenna by application of the equivalent distance method when the unattenuated field of the antenna, the various ground conductivities and the location of discontinuities are known".

4. The first eight words of the second sentence in the first paragraph of text has been deleted and "This method considers a wave" substituted therefor.

5. After the last sentence of the first paragraph there has been added "The technique is not intended to be used as a means of evaluating unattenuated field or ground conductivity by the analysis of measured data. The technique to be used for such determinations is given in section 2 of these Standards."

Accordingly, it is ordered, That 6th day of April 1949, that pursuant to 303 (b), (c), (e), (f), (g) and (r) of the Communications Act of 1934, as amended, the Commission's Standards of Good Engineering Practice Concerning Standard Broadcast Stations, be and are hereby amended, effective May 16, 1949, as set forth below:

(a) The title of Annex I of Section 1 which reads: "Interference from Groundwave Signals" is deleted and the following substituted: "Groundwave Signals".

(b) The fourth paragraph of Annex I of Section 1 which reads: "If an interfering signal traverses areas for which more than one conductivity is given * * *" is deleted with its associated footnote 14 and the following substituted foot:

Where a signal traverses a path over which different conductivities are shown to exist or are given by the map, the distance to a particular groundwave field intensity contour shall be determined by the use of the equivalent distance method. Reasonably accurate results may be expected in determining field intensities at a distance from the antenna by application of the equivalent distance method when the unattenuated field of the antenna, the various ground conductivities and the location of discontinuities are known. This method considers a wave to be propagated across a given conductivity ac-

cording to the curve for a homogeneous earth of that conductivity. When the wave crosses from a region of one conductivity into a region of a second conductivity the equivalent distance of the receiving point from the transmitter changes abruptly, but the field intensity does not. From a point just inside the second region the transmitter appears to be at that distance where on the curve for a homogeneous earth of the second conductivity the field intensity equals the value that occurred just across the boundary in the first region. Thus the equivalent distance from the receiving point to the transmitter may be either greater or less than the actual distance. An imaginary transmitter is considered to exist at that equivalent distance. The technique is not intended to be used as a means of evaluating unattenuated field or ground conductivity by the analysis of measured data. The technique to be used for such determinations is given in section 2 of these Standards.

As an example of the use of the equivalent distance method suppose on a frequency of 1000kc an unattenuated field of 100 mv/m at one mile is radiated and that over a path having a conductivity of 10×10^{-14} e. m. u. for a distance 15 miles, 5×10^{-14} e. m. u. for the next 20 miles and 15×10^{-14} e. m. u. thereafter, it is desired to determine the distance to the 0.5 mv/m and 0.025 mv/m contours. By the use of the appropriate curves in figure 4 it is seen that at a distance of 15 miles on the curve labeled 10×10^{-14} e. m. u. the field is 3.45 mv/m. The equivalent distance to this field intensity for a conductivity of 5×10^{-14} e. m. u. is 11 miles. Continuing on the propagation curve for the second conductivity the 0.5 mv/m contour is encountered at a distance of 27.9 miles from the imaginary transmitter. Since the imaginary transmitter was 4 miles nearer (15-11 miles) to the 0.5 mv/m contour, the distance from the contour to the actual transmitter is 31.9 miles (27+4 miles). The distance to the 0.025 mv/m contour is determined by continuing on the propagation curve for the second conductivity to a distance of 31 miles (11+20 miles) at which point the field is read to be 0.39 mv/m. At this point the conductivity changes to 15×10^{-14} e. m. u. and from this curve the equivalent distance is determined to be 58 miles which is 27 miles more distant than would obtain had a conductivity of 5×10^{-14} e. m. u. prevailed. Using now the curve representing the conductivity of 15×10^{-14} e. m. u. the 0.025 mv/m contour is determined to be at an equivalent distance of 172 miles. Since the imaginary transmitter was considered to be 4 miles closer at the first boundary and 27 miles farther at the second boundary the net effect is to consider the imaginary transmitter 23 miles (27-4 miles) more distant than the actual transmitter so that the actual distance to the 0.025 mv/m contour is determined to be 149 miles (172-23 miles).

(Sec. 6 (b), 50 Stat. 191; 47 U. S. C. 303 (r). Interprets or applies secs. 303 (b),

(c), (e), (f), (g), 48 Stat. 1082; 47 U. S. C. 303 (b), (c), (e), (f), (g))

Released: April 8, 1949.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-2988; Filed, Apr. 18, 1949;
8:48 a. m.]

PART 8—SHIP RADIO SERVICE

PART 13—COMMERCIAL RADIO OPERATORS

MISCELLANEOUS AMENDMENTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of April 1949;

The Commission having under consideration its previous actions of December 15, 1947, March 15, 1948, June 15, 1948, and November 15, 1948, whereby, under the provisions of section 318 of the Communications Act of 1934, as amended, the requirement of licensed radio operators for ship radar stations licensed in the Ship Service was waived, subject to certain provisions, for a continuous over-all period from December 15, 1947 to April 15, 1949, and whereby temporary rules in line with and of the same duration as the aforesaid temporary waiver were promulgated; and having before it a proposal to extend the duration of the aforesaid waiver and temporary rules to November 15, 1949, or the effective date of permanent rules governing operator license requirements for such stations, whichever date is earlier;

It appearing, that on January 24 and 25, 1949, a general public hearing and oral argument was held in the matter of proposed permanent rules to govern operator license requirements for ship radar stations licensed in the Ship Service but prior to the conclusion thereof the hearing and oral argument were continued to an as yet undetermined date; and

It further appearing, that pending the final adoption of permanent rules governing operator license requirements as aforesaid, it is necessary to continue beyond April 15, 1949, the temporary rules governing operator license requirements for ship radar stations licensed in the Ship Service; and

It further appearing, that because of the temporary nature of the proposed extension, and because of the opportunity which heretofore has been afforded and will be afforded to all interested persons to submit comments on the subject of operator requirements for ship radar stations licensed in the Ship Service, as well as the opportunity which has been and will be afforded to all such persons to participate in the above-mentioned general public hearing and oral argument, and because the need for the continuance of the temporary rules is urgent, the public notice and procedure provided for in section 4 of the Administrative Procedure Act are found to be impracticable and unnecessary herein, and for the same reasons, and

because the extension of the temporary rules in question will continue to relieve a restriction such extension should be made effective immediately; and

It further appearing, that, unless the waiver hereinabove referred to of the requirements of section 318 of the act is extended, the provisions of that section will, after April 15, 1949, require ship radar stations licensed in the Ship Service to be operated by licensed radio operators; and

It further appearing, that under the provisions of section 318 aforesaid, the Commission may waive the requirement of licensed radio operators for ship radar stations licensed in the Ship Service if the Commission first shall find that such a waiver will serve the public interest, convenience, or necessity; and

It further appearing, that under Commission Order 133, dated May 10, 1946, the Commission waived to a limited extent the licensed radio operator requirements of section 318 aforesaid with regard to shipboard radar stations licensed in the Experimental Service; and

It further appearing, that during the interim period preceding the final adoption and effectiveness of permanent rules governing operator license requirements for ship radar stations licensed in the Ship Service, radar stations so licensed can be as well operated by unlicensed personnel as can radar stations licensed in the Experimental Service; and

It further appearing, that under the foregoing circumstances it will serve the public interest and convenience temporarily to waive, to the same extent as now provided in the Experimental Service by Order 133, the licensed radio operator requirements with regard to ship radar stations licensed in the Ship Service; and

It further appearing, that authority to accomplish the aforesaid objective is contained in sections 303 (f), (g), (l), and 318 of the Communications Act of 1934, as amended;

It is ordered, That, effective April 15, 1949 the provisions of section 318, aforesaid, are hereby waived insofar as such provisions require any person to hold a radio operator license issued by this Commission in order to operate ship radar stations licensed by this Commission in the Ship Service: *Provided*, That

this waiver shall extend only to the normal operation of such radar stations on board ship and shall not be construed to permit unlicensed personnel to make any adjustments or to do any servicing or maintenance that may affect the proper operation of this station: *Provided further*, That this waiver shall not be construed to affect in any way the responsibility of the station licensee for the proper operation of the station: *And provided further*, That the waiver herein ordered may, in the discretion of the Commission and without hearing, be changed or cancelled by order of the Commission, and shall in no event extend beyond the effective date of permanent rules adopted by the Commission governing operator license requirements for ship radar stations licensed in the Ship Service, or beyond November 15, 1949, whichever is earlier;

It is further ordered, That effective April 15, 1949, Parts 8 and 13 of the Commission's rules governing Ship Service and Commercial Radio Operators respectively, are amended as follows:

1. Footnote 71 to § 8.195 is amended as follows:

(a) By deleting in the first sentence the phrase "and November 15, 1948" and substituting therefor the phrase "November 15, 1948 and April 15, 1949".

b. By deleting in the last sentence thereof the phrase "April 15, 1949" and substituting therefor the phrase "November 15, 1949".

2. The fourth footnote appended to § 13.1 which footnote commences "By order dated and effective December 15, 1947 * * *", is amended as follows:

a. By deleting the phrase "and November 15, 1948", substituting the phrase "November 15, 1948 and April 15, 1949".

(Sec. 6 (b), 50 Stat. 191; 47 U. S. C. 303 (r). Interprets or applies secs. 303 (f) (g), (l), 318, 48 Stat. 1082, 1089, as amended; 47 U. S. C. 303 (f), (g), (l), 318)

Released: April 8, 1949.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-2987; Filed, Apr. 18, 1949;
8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 57]

UNITED STATES STANDARDS FOR HAY AND STRAW

EXTENSION OF TIME FOR FILING COMMENTS RE PROPOSED STANDARDS

Notice is hereby given that the time within which any interested person may file written data, views, or arguments concerning the proposed standards for

hay and straw, set forth in a notice of rule making published in the FEDERAL REGISTER of March 8, 1949 (14 F. R. 1040), has been extended to May 7, 1949. (60 Stat. 1087, 62 Stat. 507; 7 U. S. C. 1621-1627, 7 U. S. C. Supp. 414)

Done at Washington, D. C. this 13th day of April 1949. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-2981; Filed, Apr. 18, 1949;
8:47 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 52193]

COAL, COKE, AND BRIQUETS IMPORTED FROM CERTAIN COUNTRIES

TAXABLE STATUS

APRIL 13, 1949.

Coal, coke made from coal, and coal or coke briquets imported from the following countries and entered for consumption or withdrawn from warehouse for consumption during the period from January 1 to December 31, 1949, inclusive, will not be subject to the tax of 10 cents per 100 pounds prescribed in the Internal Revenue Code, section 3423:

Canada. Chile.

Coal, coke made from coal, and coal or coke briquets produced in the following countries, imported into the United States directly or indirectly therefrom, and entered for consumption or withdrawn from warehouse for consumption during the calendar year 1949 will be exempt from the tax by virtue of the Internal Revenue Code, section 3420:

Mexico.	Colombia.
Argentina.	Netherlands.
United Kingdom.	Poland.
Union of South Africa.	

The above list does not include countries from which there have been no importations of coal or allied fuels since January 1, 1947. Further information concerning the taxable status of such fuels imported during the calendar year 1949 will be furnished upon application therefor to the Bureau.

[SEAL] FRANK DOW,
Acting Commissioner of Customs.

[F. R. Doc. 49-2989; Filed, Apr. 18, 1949;
8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6211]

VIRGINIA ELECTRIC AND POWER CO. ET AL.

NOTICE OF APPLICATION

APRIL 12, 1949.

Notice is hereby given that on April 11, 1949, a joint application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Virginia Electric and Power Company, (hereinafter called "Virginia Company"), and Herbert Trotter, Executor of Joseph I. Triplett, Deceased, (hereinafter called "Triplett Estate"). Virginia Company is a corporation organized under the laws of the Commonwealth of Virginia and doing business in the States of Virginia, West Virginia and North Carolina, with its principal business office at Richmond, Virginia. Triplett Estate is a fiduciary created under the will of Joseph I. Triplett, Deceased, acting under the jurisdiction of the Circuit Court of Shenandoah County, Virginia, and the address of Herbert Trotter, Ex-

ecutor, is Woodstock, Virginia. Applicants seek an order of the Commission authorizing and approving the purchase and consolidation by and with Virginia Company from Triplett Estate of all of the physical properties that may be acquired by Triplett Estate from Woodstock Electric Light and Power Company, in the event the latter is dissolved, together with a hydro-electric generating station of 252 KW name plate rating, and a diesel electric generating station of 400 KW name plate rating, located on the North Fork of the Shenandoah River near the Town of Woodstock, Virginia, operated in connection with the business of the Woodstock Electric Light and Power Company and now owned by Triplett Estate. The consideration for the properties to be acquired and consolidated is \$170,000 in cash; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 3d day of May 1949, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-2984; Filed, Apr. 18, 1949;
8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2061]

CITIES SERVICE CO. AND OHIO PUBLIC SERVICE CO.

SECOND SUPPLEMENTAL ORDER RELEASING JURISDICTION AND GRANTING AND PERMITTING JOINT APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 12th day of April A. D. 1949.

The Commission, by Order dated March 15, 1949, having granted and permitted to become effective a joint application-declaration, as amended, of Cities Service Company ("Cities"), a registered holding company, and The Ohio Public Service Company ("Public Service"), a subsidiary of Cities, regarding among other things, the sale by Cities of 638,160 shares of \$7.50 par value common stock of Public Service and the issuance and sale by Public Service of 361,840 additional shares of its \$7.50 par value common stock and \$10,000,000 principal amount of First Mortgage Bonds ...% Series, due 1979, all pursuant to the competitive bidding requirements of Rule U-50 promulgated pursuant to the Public Utility Holding Company Act of 1935, subject, among other things, to the conditions that the proposed sale of common stock by Cities and the proposed issuance and sale of common stock and bonds by

Public Service shall not be consummated until the results of the competitive bidding, pursuant to Rule U-50, shall have been made a matter of record in this proceeding and a further order shall have been entered in the light of the record so completed, jurisdiction being reserved for such purpose; and the Commission having reserved jurisdiction in said order with respect to all fees and expenses to be paid to counsel, including independent counsel for the prospective bidders, and to the financial adviser of the applicants-declarants; and

The Commission, by order dated April 5, 1949, having granted and permitted to become effective the joint application-declaration as further amended by an amendment filed on April 5, 1949, showing the action taken to comply with the requirements of Rule U-50 with respect to the sale of the common stock and having released jurisdiction with respect to the matters to be determined as a result of competitive bidding for said common stock, continuing the reservation of jurisdiction in the Commission's Order of March 15, 1949, with respect to the results of competitive bidding under Rule U-50 as to the bonds of Public Service and with respect to all fees and expenses of counsel and of the financial adviser of the applicants-declarants; and

Cities and Public Service now having filed a further amendment to the joint application-declaration, setting forth the action taken to comply with the Commission's Order of March 15, 1949, and the requirements of Rule U-50 with respect to the First Mortgage Bonds stating that said bonds of Public Service have been offered for sale pursuant to the competitive bidding requirements of Rule U-50 and that the following bids have been received.

Bidding group headed by—	Interest rate	Price to company (percent of principal amount)	Cost to company *
	Per cent		Per cent
Equitable Securities Corp.	3	100.336	2.98298
Halsey, Stuart & Co., Inc.	3	100.3099	2.98430
Lehman Bros.	3	100.25999	2.98682
W. C. Langley & Co.	3	100.137	2.99305
Glore, Forgan & Co.	3	100.114	2.99422
Union Securities Corp.	3 1/4	102.17	3.01459
Salomon Bros. & Hutzler.	3 1/4	102.11	3.01799
Blyth & Co., Inc.	3 1/4		

The said amendment having stated that Public Service has accepted the bid of Equitable Securities Corporation for the First Mortgage Bonds as set out above and that the said bonds will be offered for sale to the public at a price of 100.750% of the principal amount thereof, plus accrued interest, resulting in an underwriting spread equal to 0.414% of the principal amount of the bonds and

It appearing that the fees and expenses incurred in connection with the sale of the common stock and bonds include a fee of \$15,000 payable by Cities to The First Boston Corporation as

financial adviser on the sale of the common stock, legal fees of \$2,000 payable to Ohio counsel for services in connection with the sale of the common stock of which \$1,300 is to be paid by Cities and \$700 by Public Service, and legal fees of \$3,000 payable by Public Service to Ohio counsel for services in connection with the sale of the bonds and fees of Beekman & Bogue as independent counsel for purchasers of the stock and bonds in the amounts of \$8,000 and \$7,000 respectively, payable by the successful bidders; and it appearing that said fees and expenses do not appear to be unreasonable, and the Commission deeming it appropriate to release jurisdiction with respect thereto, and to continue the reservation of jurisdiction over the payment of legal fees to Frueauff, Burns, Ruch & Farrell; and

The Commission having examined said amendment, and having considered the entire record, and finding no basis for imposing terms and conditions with respect to the issue and sale of the bonds of Public Service:

It is ordered, That the jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding for said bonds under Rule U-50 and with respect to the legal fees and the fee of the financial adviser be, and the same hereby is, released, except as to the fees payable to Frueauff, Burns, Ruch & Farrell over which jurisdiction is continued, and that the joint application-declaration, as further amended, be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-2977; Filed, Apr. 18, 1949;
8:46 a. m.]

[File No. 70-2073]

SOUTHERN CO. AND MISSISSIPPI POWER CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND GRANTING AND PERMITTING JOINT APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 12th day of April A. D. 1949.

The Southern Company ("Southern"), a registered holding company and a wholly owned subsidiary of The Commonwealth & Southern Corporation, also a registered holding company, and Mississippi Power Company ("Mississippi"), a direct public utility subsidiary of Southern, having filed a joint application-declaration and amendments thereto pursuant to sections 6 (a), 7, 9 (a), 10 and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-43 and U-50 thereunder, regarding the proposed issuance and sale by Mississippi, pursuant to the competitive bidding requirements of Rule U-50, of \$2,000,000 principal amount of its First Mortgage Bonds, --% Series due 1979

and regarding the issuance and sale to its parent, Southern, and the proposed purchase by Southern, of 100,000 additional shares of the authorized and unissued common stock without par value of Mississippi for a cash consideration of \$2,000,000; and

The Commission by its order dated March 23, 1949, having granted and permitted to become effective said application-declaration, as amended, subject to the conditions, among others, that the proposed issuance and sale of bonds of Mississippi should not be consummated until the results of competitive bidding for the bonds pursuant to Rule U-50 had been made a matter of record in this proceeding and a further order had been entered by this Commission in the light of the record so completed and the Commission having further reserved jurisdiction with respect to the fees and expenses of all counsel to be paid in connection with the proposed transactions; and

Mississippi having filed a further amendment herein setting forth the action taken to comply with Rule U-50 and stating that, pursuant to the invitation for competitive bids, the following bids for the bonds have been received:

Name of bidder	Com- pon rate	Price to company (percent of principal amount) ¹	Annual cost of money
	Per- cent		Percent
Otis & Co. ²	3	100.10	2.9049
Halsey, Stuart & Co. Inc.	3½	102.212	3.0125
Kidder, Peabody & Co.	3½	102.13	3.0166
Carl M. Loeb, Rhoades & Co.	3½	102.1255	3.0168
Equitable Securities Corp.	3½	102.0316	3.0215

¹ Plus accrued interest from April 1, 1949 to date of delivery.

² Head of Group.

Said amendment having further stated that Mississippi has accepted the bid of Otis & Co., as set out above, and that said bonds will be offered for sale to the public at a price of 100.50% of the principal amount thereof plus accrued interest, resulting in an underwriting spread of 0.40% of the principal amount of said bonds; and

It appearing to the Commission that the fees and expenses of counsel proposed to be paid in connection with the financing of Mississippi and of Southern are not unreasonable, said fees being as follows:

	In connection with the—	
	Bonds	Common stock
Counsel for Mississippi: Winthrop, Stimson, Putnam & Roberts	\$4,000	\$500
Counsel for Southern: Winthrop, Stimson, Putnam & Roberts		500
Counsel for the purchasers: Reid & Priest	2,500	

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to such matters;

It is ordered, That the jurisdiction heretofore reserved with respect to the

matters to be determined as the result of competitive bidding in connection with the sale of bonds under Rule U-50, be, and the same hereby is, released and that the said joint application-declaration of Mississippi and Southern, as further amended herein be, and the same hereby is granted and permitted to become effective forthwith, subject however to the terms and conditions prescribed in Rule U-24.

It is further ordered, That the jurisdiction heretofore reserved with respect to the payment of fees and expenses of counsel in connection with the aforementioned transactions be, and the same hereby is, released.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-2975; Filed, Apr. 18, 1949;
8:46 a. m.]

[File No. 70-2079]

ILLINOIS POWER CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND GRANTING AND PERMITTING APPLICATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 12th day of April 1949.

Illinois Power Company ("Illinois"), a subsidiary of North American Light & Power Company and The North American Company, both registered holding companies, having filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, regarding the issuance and sale, pursuant to the competitive bidding requirements of Rule U-50 of the rules and regulations promulgated under said act, of 200,000 shares of a new series of --% Cumulative Serial Preferred Stock ("Preferred Stock"), par value \$50 per share; and

The Commission, by order dated March 25, 1949, having granted said application subject, among other things, to the condition that the proposed issue and sale of Preferred Stock shall not be consummated until the results of competitive bidding pursuant to Rule U-50 have been made a matter of record in these proceedings and a further order shall have been entered by the Commission in the light of the record so completed, which order shall contain such further terms and conditions as then may be deemed appropriate; and

Illinois, on April 12, 1949, having filed a further amendment to its amended application setting forth the action taken by it to comply with the requirements of Rule U-50 and stating that pursuant to the invitation for competitive bids, one bid was received, to wit, that of a bidding group headed by Merrill Lynch, Pierce, Fenner & Beane, such bid providing for a dividend rate of 4.70% and a price to Illinois of \$50.02 per share, resulting in a cost of money to Illinois of 4.6981%; and

Illinois having further stated that it has accepted such bid, and that the Pre-

ferred Stock is to be offered to the public at a price of \$51.65 per share, plus accrued dividends from date of delivery to the bidding group, resulting in an underwriters' spread of \$1.63 per share; and

The Commission having examined the amendment herein filed April 12, 1949, and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be received for the Preferred Stock, the underwriters' spread or otherwise, and it appearing appropriate to the Commission that jurisdiction heretofore reserved to consider the results of the competitive bidding be released:

It is ordered, That jurisdiction heretofore reserved to consider the results of the competitive bidding with respect to the issuance and sale of said Preferred Stock be, and the same hereby is, released and that said application, as amended, be and the same hereby is, granted, effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-2974; Filed, Apr. 18, 1949;
8:45 a. m.]

[File No. 70-2089]

HARRISBURG GAS CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of April 1949.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), by The Harrisburg Gas Company ("Harrisburg"), a public utility subsidiary of the United Gas Improvement Company, a registered holding company. Declarant has designated section 6 (b) of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than April 21, 1949, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 21, 1949, said declaration as filed, or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration which is on file in the offices of this Commission for a state-

ment of the transaction therein proposed, which is summarized as follows:

Harrisburg proposes to issue and sell to The Penn Mutual Life Insurance Company \$1,000,000 principal amount of first mortgage bonds of 3½% series due 1971 at a price of 99½% of the principal amount.

The proceeds from the sale of the bonds will be used to repay certain notes and open account indebtedness and to finance Harrisburg construction program during 1949.

The proposed issuance and sale of bonds by Harrisburg has been approved by Pennsylvania Public Utility Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-2973; Filed, Apr. 18, 1949;
8:45 a. m.]

[File No. 70-2096]

PUBLIC SERVICE COORDINATED TRANSPORT

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 12th day of April 1949.

Public Service Coordinated Transport ("Transport"), an indirect subsidiary of The United Corporation, a registered holding company, having filed a declaration, pursuant to sections 9 (a) and 10 of the Public Utility Holding Company Act of 1935, with respect to the following transaction:

Transport proposes to purchase and acquire 200,000 shares of the no par value common stock of Public Service Interstate Transportation Company ("Interstate"), for a cash consideration of \$2,000,000. Transport owns all the outstanding securities of Interstate. The proceeds of the sale of the common stock will be utilized by Interstate in connection with its construction program and principally in the purchase of new buses.

The proposed sale by Interstate has been approved by the Interstate Commerce Commission and is, pursuant to Rule U-8, exempt from the provisions of the act.

Said declaration having been duly filed and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period specified, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied and deeming it appropriate in the public interest and in the interests of investors and consumers that said declaration be permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act,

that the said declaration be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-2972; Filed, Apr. 18, 1949;
8:45 a. m.]

[File No. 70-2098]

GENERAL PUBLIC UTILITIES CORP.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 12th day of April 1949.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act"), by General Public Utilities Corporation ("GPU"), a registered holding company. Declarant has designated section 12 (b) of the act and Rule U-45 thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may not later than April 28, 1949, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 28, 1949, said declaration as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration which is on file in the office of the Commission for a statement of the transaction therein proposed which is summarized as follows:

GPU proposes to make a cash capital contribution to its utility subsidiary, Northern Pennsylvania Power Company ("North Penn"), of \$500,000 which will be employed by North Penn for construction purposes. North Penn will credit the \$500,000 to its capital stock account.

Declarant states that no commission, other than this Commission, has jurisdiction over the proposed transaction.

Declarant requests that the Commission's order permitting the declaration to become effective be issued as soon as possible and be effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-2976; Filed, Apr. 18, 1949;
8:46 a. m.]

[File No. 70-2106]

COLUMBIA GAS SYSTEM, INC., AND UNITED FUEL GAS CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of April 1949.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its subsidiary, United Fuel Gas Company ("United"). Applicants-declarants have designated sections 6 (b), 9, 10, and 12 of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than May 2, 1949, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of the fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after May 2, 1949, said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

United proposes to issue and sell to Columbia \$1,000,000 principal amount of 3¼% Installment Promissory Notes. Such notes are to be unsecured and are to be paid in equal annual installments on February 15 of each of the years 1952 to 1976, inclusive. It is stated that the proceeds to be obtained through the issue and sale of the notes will be utilized by United in connection with its construction program, which program, it is estimated, will require approximately \$6,400,000 of additional financing during 1949. The Public Service Commission of West Virginia, by order dated March 28, 1949 approved the proposed issue and sale of notes by United.

Applicants-declarants have requested that the Commission's order granting and permitting the joint application-declaration to become effective be issued as soon as possible and that it become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-2978; Filed, Apr. 18, 1949;
8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13070]

MARGARETHE CLAUSSEN

In re: Estate of Margarethe Claussen, deceased. File No. D-28-12057; E. T. sec. 16241.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Wilhelm Klunder and Frederick Wilhelm Otto Picard, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, in and to the estate of Margarethe Claussen, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by William Gallagher, as administrator c. t. a., acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 30, 1949.

For the Attorney General.

[SEAL]

DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2990; Filed, Apr. 18, 1949;
8:49 a. m.]

[Return Order 176]

NORDISK INSULINLABORATORIUM

Having considered the claim set forth below and having issued a determina-

tion allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Nordisk Insulinlaboratorium, Gentofte, Denmark, Claim No. 1142, July 21, 1948 (13 F. R. 4169); Property described in Vesting Order No. 664 (8 F. R. 4989, April 17, 1943), relating to United States Letters Patent No. 2,076,082.

This return shall not be deemed to include the rights of any licensees under the above patent.

In connection with this return, the Insulin Committee of the University of Toronto has made a commitment to the Attorney General of the United States in a letter dated August 5, 1948, a copy of which is attached as Exhibit "A" to the determination filed herewith. A copy of a supplementary letter of March 3, 1949 is attached to the determination as Exhibit "A-1". In addition, Nordisk Insulinlaboratorium has furnished the Attorney General certain covenants contained in a letter dated December 8, 1948, a copy of which is attached as Exhibit "B" to the said determination.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on April 13, 1949.

For the Attorney General.

[SEAL]

DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2991; Filed, Apr. 18, 1949;
8:49 a. m.]

[Return Order 270]

ANNA LUISE BLUME KOHLSTOCK

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Anna Luise Blume Kohlstock, New York, N. Y., Claim No. 13309, January 27, 1949 (14 F. R. 375); \$2,948.14 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on April 12, 1949.

For the Attorney General.

[SEAL]

DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2992; Filed, Apr. 18, 1949;
8:49 a. m.]

[Return order 290]

LOUIS GRAVEURE

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Louis Graveure, 114-73 178th Street, St. Albans, Long Island, N. Y., Claim No. 31100, February 22, 1949 (14 F. R. 814); Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 4031 (9 F. R. 13780, November 17, 1944), relating to the literary work Super-Diction (Twelve Studies in the Art of Song) (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of \$120.18.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on April 12, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2993; Filed, Apr. 18, 1949; 8:49 a. m.]

[Return Order 296]

WILHELM HANSEN MUSIK-FORLAG

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Wilhelm Hansen Musik-Forlag, Gothersgade 9-11, Copenhagen K. Denmark, Claim No. 31038, March 4, 1949 (14 F. R. 996); Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 4034 (9 F. R. 13781, November 17, 1944), relating to musical compositions and literary works entitled "Valse Chevaleresque", "Valse Finlandaise", "Slumber Song", "Humorous Dance II", "Chord Grasps", "Studies for Left Hand", "Legato and Staccato", "Rhythmic and Polyhythmic Studies", "Alternation", "Octaves", "Shakes and Tremelo", "Broken Chords", "Energy", "Elegance", "Festival March", "Old Melody", "6 Violin Pieces", "Romance", "Bravura", "Lyric Quality", "Prelude", "Sketches from Finland", "Melody", "Joys of Youth", "25 Easy Studies", "Middle Grade (Bks. 1, 2, & 3)", "Preparatory Grade (Bk. 1 & 2)", "6 Cello Pieces", "Technical Piano Pieces", "10 Easy Transcriptions",

"Forty Pedal Studies", "Major & Minor (Books 1-4)", "Triumphal Entry", "The Swan", "Mother's Song", "Isle of Shadows", "Serenata (Opus 51 #2)", "Second Romance", "Valse Lyrique", "Etude (Opus 76 #2)", "The Spruce", "Six Lyric Pieces", "Valse Mignonne", "For Little Folks", "Tales and Fables", "Easy and Characteristic", "Musical Pictures", and "Pedal Studies" (attached as exhibits to said vesting order), including royalties pertaining thereto in the amount of \$1074.59.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on April 12, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2995; Filed, Apr. 18, 1949; 8:50 a. m.]

[Return Order 292]

ELEONORE SOHRE VALLERY

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Eleonore Sohre Vallery, Waverly, Ohio, Claim No. 3940, March 1, 1949, (14 F. R. 930), \$115.81 in the Treasury of the United States. All right, title, interest and claim (including but not limited to, the right of access) to safety deposit box No. 305 in the vaults of the Bank for Commerce and Trusts, Ninth and Main Streets, Richmond, Va.

Two acres of land in Hanover County, Virginia, conveyed by George E. Crawford and Addie S. Crawford, his wife, to Eleonore Sohre by warranty deed executed April 19, 1922 and recorded in the Clerk's Office of the Circuit Court of Hanover County, Virginia, April 24, 1922 in Deed Book 73, page 454; 2.93 acres of land described as lot "C" on map recorded in the Clerk's Office of the Circuit Court of Hanover County, Virginia in Plot Book 7, Page 34, Plot 1.

Executed at Washington, D. C., on April 12, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2994; Filed, Apr. 18, 1949; 8:50 a. m.]

[Return Order 298]

GABRIEL SCOTT

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Gabriel Scott, Tromoy, Arendal, Norway, Claim No. 36469, March 4, 1949 (14 F. R. 997); Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 4034 (9 F. R. 13781, November 17, 1944) relating to the literary work entitled "Karl" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of \$204.57.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on April 12, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2996; Filed, Apr. 18, 1949; 8:50 a. m.]

[Return Order 299]

CORNELIS BEVOORT

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Cornelis Bevoort, Amsterdam, The Netherlands, Claim No. 6426, March 1, 1949 (14 F. R. 930); Property described in Vesting Order No. 671 (8 F. R. 5004, April 17, 1943), relating to United States Letters Patent No. 2,270,104. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on April 12, 1949.

For the Attorney General.

[SEAL] DAVID E. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2997; Filed, Apr. 18, 1949; 8:50 a. m.]

EDWARD V. KILLEEN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of in-

tention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property and Location

Edward V. Killeen, executor under the last will and testament of Dragol Batzouroff, deceased, New York, N. Y., 1737; \$82,108.67 in the Treasury of the United States.

Executed at Washington, D. C., on April 13, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2998; Filed, Apr. 18, 1949; 8:50 a. m.]

MARVALDI BIANCA ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, certain shares of the common and third preferred capital stock of the De Nobili Cigar Company, Long Island City, New York, now registered in the name of the Alien Property Custodian and in the custody of the Federal Reserve Bank of New York, New York City, New York, which are identified below as to the claimant, number of shares claimed, and stock certificate number. The return will be subject to any increase or decrease resulting from the administration of such property prior to return and after adequate provision for taxes and conservatory expenses, and will not include any dividends or other sums accruing to the shares prior to the effectuation of the return.

Claim No.	Claimant	Shares		Certificate Nos.
		Common	Preferred	
39771	Marvaldi Bianca, Rapallo, Italy		18	262
39772	Maria Padovani Franchetti, Rome, Italy	5		217
39773	Maria Ghiutta, Genoa, Italy	3		218
39774	Vittoria Grimaldi, Rome, Italy		7	264
39775	Angela Maria Gras in Gennarini, Genoa, Italy	2		219
39777	Enrico Gras, Genoa, Italy	6		220
39781	Giorgio Medina, Genoa, Italy	5		222
39782	Massimo Medina, Genoa, Italy	3		227
39783	Carlo Maria Carli, Rome, Italy	2		228
		15		229

Claim No.	Claimant	Shares		Certificate Nos.
		Common	Preferred	
39784	Gianfilippo Caretoni, Rome, Italy	10		230
39785	Luca Caffarena, Genoa, Italy		4	269
39787	Eugenio Chiappe, Genoa, Italy	10		231
39788	Maria Costa Starico in Canepa, Genoa, Italy		10	270
39789	Terenzio Del Chicca, Spezia, Italy	8		26
39790	Giuseppina De Bellegarde, Pesca, Italy	5		271
39793	Giuseppe De Ferrari, Genoa, Italy	5		233
39794	Giacomo De Ferrari, Genoa, Italy	2		273
39796	Gladys De Risels, Genoa, Italy	7		234
39797	Maria Giuseppina Migone, Genoa, Italy	10		235
39799	Irene Muzio, Genoa, Italy	2		274
39801	Angelica Mazzotti, Milan, Italy	7		238
39802	Adele Maria Marengo, Genoa, Italy		10	277
39803	Anna Marazza, Pallanza (Verbania), Italy			
39804	Maria Teresa Marazza, Pallanza (Verbania), Italy			
39805	Giovanni Marmol, Spezia, Italy		20	281
39807	Gianna Nissim, Florence, Italy		20	282
39808	Nina Levi ved. Ottolenghi, Venice, Italy	13		283
39810	Bice Oldoni Rossi, Spezia, Italy	10		284
39811	Livietta Olandini, Genoa, Italy	7		285
39813	Alberto Pongiglione, Spezia, Italy		10	286
39814	Paolo Pontremoli, Spezia, Italy		2	287
39815	Bice Bertolini Paganini, Genoa, Italy	5		288
39816	Eligio Pensa, Varenna, Italy	5		289
39817	Amalia Paganini, La Spezia, Italy	7		290
39818	Elena Pontremoli, Spezia, Italy	5		291
39819	Lea Savio, Rome, Italy		2	292
39820	Maria Gisèle Savio, Rome, Italy	10		293
39821	Nereo Sclaretta, Genoa, Italy		9	294
39822	Leone Sonnino, Rome, Italy	5		295
39823	Alberto Sonnino, Rome, Italy	10		296
39824	G. B. Costa Starico, Genoa, Italy	3		297
39825	Gerolamo Costa Starico, Savona, Italy	9		298
39826	Giuseppe Starico Costa, Genoa, Italy		8	299
39827	Francesco Starico, Genoa, Italy	8		300
39828	Giorgio Starico, Genoa, Italy	11		301
39829	Mario Alberto Starico, Genoa, Italy	12		302
39830	Baccio Tassara, Genoa, Italy	11		303
39831	Teresa Cipollina Tassara, Genoa, Italy	13		304
39832	Antonio Tavoni, Modena, Italy	10		305
39833	Luigi Vignolo, Genoa, Italy	4		306
39834	Angelo Viglienzoni, Genoa, Italy	5		307
39836	Eugenio Raffo, Milan, Italy		34	308
39837	Gaetano Rasponi, Rome, Italy	4		309
39840	Agostino Saredo Parodi, Genoa, Italy	5		310
39841	Alfredo Pensa, Genoa, Italy	10		311
		5		312

Claim No.	Claimant	Shares		Certificate Nos.
		Common	Preferred	
39842	Maria Luisa Clurlo Poll, Genoa, Italy	10		277
39843	Elena Poll, Genoa, Italy	10		278
39844	Alberto Paoletti, Genoa, Italy		10	316
40643	Letizia Costa ved. Furlanelli, Genoa, Italy	6		279
39670	Maria Ovazza Momigliano, Torino, Italy	34		90
39723	Emma Randone Tagliavini, Banca Commerciale Italiana, Naples, Italy	10		145
39809	Franco Oliva, a/k/a Francesco Oliva, Spezia, Italy	24		119
39812	Adelina Laurecchia Puccio, a/k/a Adele Laurecchia Puccio Savona, Italy	25		172
		10		176
		5		225
			20	248
				291

Executed at Washington, D. C., on April 13, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-3000; Filed Apr. 18, 1949; 8:51 a. m.]

AUGUST STEINER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

August Steiner, San Antonio, Tex., 10714; \$12,068.22 in the Treasury of the United States.

The following parcels of real estate situated in the City of San Antonio, County of Bexar, State of Texas: Lot 4 in New City Block 1760 fronting 50 feet on the Northwest side of Avenue B, between Fifth and Sixth Streets, and running back between parallel lines at right angles with Avenue B to the San Antonio River for depth. Lot 2 and the West 9 feet of Lot 3 in Block 1, New City Block 1269. Lot 1, Block 1, New City Block 1269.

Executed at Washington, D. C., on April 12, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-2999; Filed, Apr. 18, 1949; 8:51 a. m.]